

Appl. No. 10/036,308
Amendment dated April 26, 2004
Reply to Office Action of December 24, 2003

REMARKS

Applicants have received and reviewed an Office Action dated December 24, 2003. By way of response, Applicants have amended claims 5 and 6. No new matter is presented. Claims 4-6 and 9-13 are pending. Applicants submit that the pending claims are supported by the specification.

For the reasons given below, Applicants submit that the amended and newly presented claims are in condition for allowance and notification to that effect is earnestly solicited.

Petition for Extension of Time

It is noted that a one-month petition for extension of time is necessary to provide for the timeliness of the response. A request for such an extension is made extending the time for response from March 24, 2004 to April 24, 2004, which was a Saturday, extending the time for response to Monday, April 26, 2004.

Rejection of Claims Under 35 U.S.C. § 112, Second Paragraph

The Examiner rejected claims 6 and 9 under 35 U.S.C. § 112, first paragraph. The Examiner asserted that the specification while enabling for diagnosing Alzheimer's disease does not reasonably provide enablement for a method of monitoring Alzheimer's disease. Applicants respectfully disagree. Nonetheless, to expedite allowance of this application, and not to acquiesce to this rejection, Applicants without prejudice have amended the claims to recite diagnostic methods in claims 6 and 9.

Accordingly, it is believed that the amended claims fully comply with § 112, second paragraph, and withdrawal of this rejection is respectfully requested.

Rejection of Claims Under 35 U.S.C. § 112, second paragraph

The Examiner rejected claims 5-6 and 9-13 under 35 U.S.C. § 112, second paragraph. The Examiner objected to certain terms and phrases employed in the claims. Applicants respectfully traverse this rejection.

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Claims 5 and 6, and accordingly claims 9-13 dependent on claims 5 and 6 have been amended to overcome this rejection. In particular, claims 5 and 6 have been amended to recite "detecting the amount" as suggested by the Examiner, and to delete "monitoring" in claim 6.

Accordingly, it is believed that the amended claims fully comply with § 112, second paragraph, and withdrawal of this rejection is respectfully requested.

Summary

In summary, Applicants submit that each of claims 4-6 and 9-13 are in condition for allowance. The Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below, if the Examiner believes that doing so will expedite prosecution of this application.

Respectfully submitted,

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Dated: Apr 26, 2004

By: Mark T. Skoog

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